

Appl. No. 10/788,895
Amdt. Dated June 28, 2007
Reply to Office Action of March 28, 2007

REMARKS

This is a full and timely response to the non-final Office action mailed March 28, 2007. Reexamination and reconsideration in view of the foregoing amendments and following remarks is respectfully solicited.

Claims 6- 21 are now pending in this application, with claims 6, 12 and 16 being the independent claims. Claim 6 has been amended, claims 1-5 and 10 have been canceled. No new matter is believed to have been added.

Rejections Under 35 U.S.C. § 102

Claims 1, 5 and 11 were rejected under 35 U.S.C. § 102 as allegedly being anticipated by Lee et al (U.S. Patent No. 6,947,024). Claims 1-5 have been cancelled above, and claim 11 depends from amended claim 6, which is discussed in detail below.

Rejections Under 35 U.S.C. § 103

Claims 2-4 and 6-10 were rejected under 35 U.S.C. § 103 as allegedly being unpatentable over Lee in view of Praiswater (U.S. Patent No. 5,754,013). In this rejection, the Examiner stated that Lee teaches power recovery and control circuit as claimed, and that Praiswater teaches a logarithmic amplifier as claimed. Applicants have cancelled claims 1-5, and amended claim 6. Specifically, claim 6 has been amended to recite that the logarithmic amplifier includes “an op amp coupled to a photo-diode, the op amp configured with negative feedback to drive a current such that substantially zero volts are across a photo-diode to compensate for temperature differences in the photo-diode”. Applicants submit that the cited references do not disclose, *inter alia*, a logarithmic amplifier as claimed.

Applicants note that this feature was similarly recited in claim 10, which has now been cancelled. In rejecting claim 10, the Examiner cited column 3, lines 58-61 and column 4, line 41 to column 5, line 65 of Praiswater as teaching these features.

Applicants respectfully disagree, and note that while Praiswater describes element 30 as a photodiode (see column 3, lines 55 to 61) and that is coupled to the logarithmic amplifier (see figure 2), the logarithmic amplifier is not described or illustrated as including any op

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amp coupled to the photo-diode that is configured to "drive a current such that substantially zero volts are across a photo-diode to compensate for temperature differences in the photo-diode". As the references fail to teach this limitation, applicants submit that amended independent claim 6 is patentably distinct over the cited references.

Furthermore, as claims 7-9 and 11 depend from, and include all the limitations of amended independent claim 6, applicants submit that those claims are patentably distinct over the cited references for the same reason.

Allowable Subject Matter

In the office action, the Examiner allowed claims 12-21.

Conclusion

Based on the above, independent claims 6, 12 and 21 are patentable over the citations of record. The dependent claims are also deemed patentable for the reasons given above with respect to the independent claims and because each recite features which are patentable in its own right. Individual consideration of the dependent claims is respectfully solicited.

The other art of record is also not understood to disclose or suggest the inventive concept of the present invention as defined by the claims.

Hence, Applicant submits that the present application is in condition for allowance. Favorable reconsideration and withdrawal of the objections and rejections set forth in the above-noted Office Action, and an early Notice of Allowance are requested.

If the Examiner has any comments or suggestions that could place this application in even better form, the Examiner is requested to telephone the undersigned attorney at the below-listed number.

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If for some reason Applicant has not paid a sufficient fee for this response, please consider this as authorization to charge Ingrassia, Fisher & Lorenz, Deposit Account No. 50-2091 for any fee which may be due.

Respectfully submitted,

INGRASSIA FISHER & LORENZ

Dated: 28 June 2007

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